The various city employee organizations, which presented a winning case for a salary increase at the recent Board of Estimate hearings, are continuing their fight for a full $600 pay raise and incorporation of the present bonus into base pay.

The pension liberalization projects of the various uniformed organizations are part of the continuing campaign. These organizations include the Patrolmen’s Benevolent Association, the Uniformed Firemen’s Association and the Uniformed Fire Officers Association and other line organizations.

Preference Is Limited By Appeals Court

The patrolmen also have a bill in the Council for top grade in the Fire Department, instead of the present five-year period necessary for promotion to attain top grade. Harry Sacher, general counsel to the Transport Workers Union, made an unexpected attack on the legality of the city to use $18,900,000 of the fare increase revenue to pay part of past and present subway operating deficits. The excess over deficits, that the increased fare would provide, would provide $44,870,000 for pay raises and new positions, and of this amount the $18,900,000 is a part.

Harold Riegelman, counsel to the Citizens Budget Commission, held that the financing could be accomplished legally, in the manner the City proposes.

Two law cases by groups of organizations, which the Citizens Union asked the Supreme Court has referred them to the Appellate Division. The United Parents Associations in NYC will be provided when the examination, held in absence for some months, is opened for receipt of applications, either late in May or early in June.

The pension liberalization project of the various uniformed organizations was one of the pertinent questions that Mr. Whalen had answered in his press conference earlier this week. He had not even acknowledged receipt of the letter from the Transportation government in which the United States Associations asked for a statement that they were for his extravagant, unnecessary celebration?"

Questions Unanswered

Meanwhile, by LEADER press-time, Mr. Whalen had answered some of the pertinent questions which the Citizens Union asked him last week. He had not even acknowledged receipt of the letter from the Transportation government in which the United States Associations asked for a statement that they were for his extravagant, unnecessary celebration?

Whalen Fails to Answer 'Tough' Questions About Jubilee As Opposition Grows

Move to Raise Pay

Opportunity to obtain a permanent position as Probation Officer in NYC will be provided when the examination, held in absence for some months, is opened for receipt of applications, either late in May or early in June.
### Unemployment Insurance

Albany, April 26—One of the important measures signed by Governor Thomas E. Dewey permits the protection of local employees who lose their jobs by providing local unemployment insurance coverage.

The bill, which Assembly Int. 3691 is "permissive"—that is, counties, cities and other units may put it in effect if they wish; they are not compelled to. Nevertheless, it is bound to be an important factor, and it is expected that more and more communities will take advantage of it.

The bill was drafted by the Civil Service Employees Association, with the cooperation of the Division of Unemployment Insurance. It became Chapter 544 of the Laws of 1948 and extends the provisions of the Unemployment Insurance Law to local employees.

Under the rules of public employment is referred to as relatively stable, employees who lose their jobs have the same need of unemployment insurance to tide them over until they can secure new jobs as do employees in private industry. This law gives them the same protection as private employees under the same plan and procedure and upon the same terms.

The State requires private employers to provide unemployment insurance. Public employees have not the same economic needs as private employees. The adoption of the Gugino bill permits local units of government in voluntary associations to institute a program and thereby enable Government to practice what preaches.

### Interview Promotions Argued Before Board

Albany, April 26—The State Civil Service Commission Board argued that the appointment of the Senior Employment Counselors, DPV and Public Health Employment Interviewers made when they were in the Federal Service, as employees of the State, is legal and valid.

The application was opposed by the Civil Service Employees Association, the American Legion and Senior Employment Interviewers. The application is to be held valid.

The application is supported by the applications, and the Board's position is to follow the law.

The Board's position is to follow the law.

### State and County News

#### Local Govt. Now Law

At the presentation of the Charter to the Niagara Chapter by Charles R. Molliner, President Representative of the Civil Service Employees Association, were (left to right) 1st Vice-president William Leyden, Welfare Department; President Representative W. Robert Mullen, Special Clerk's Office; Mr. Molliner and 2nd Vice-president Charles Dobell, Sanatorium.

#### Pay Checks Speeded Up By Moore

Albany, April 26—Comptroller Frank C. Moore, following discussions held with Dr. Frank L. Toland, Secretary and John P. Warrack, President and Counsel of The Civil Service Employees Association, respectively, issued an order to break bottlenecks that had been creating an institutional employee salary checks.

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SICK LEAVE

Life is always a handicap in success in life or employment. The first duty of the individual is to himself and to his family, and to his employer, is to keep as physically fit as possible.

Some sicknesses are unavoidable; they may be considered as acts of fate or acts of God, as you prefer, but the majority of sicknesses are caused by the acts of individuals, and if they act, and are chargeable to themselves alone.

Sick leave is intended to take care of the first category—physical and mental illness. It is a recognition that illness is an act of God and that the employee bears the consequences of his own acts, and is not chargeable to himself. Sick leave is a right in the same category as vacation. Sick leave malingerers are no doubt a tiny minority, but they do much harm to the honest employee and may be the reason for the proposal for a general tightening up of the liberal present sick leave law.

State Health Department

A corrective of the abuse of sick leave must and will be found. The reduction of sick leave allowance is no answer. The Uniform administration in the State service would help. Education of the employees on the desirability of accumulating the maximum of sick leave credits for a rainy day is desirable. One suggestion for physical and medical examinations at time of appointment and reappointment, renewable every four years, would be useful. Such a plan would be in line with present normal business practice, such as are common now in business. The State does not require medical examinations. It does not even evaluate the physical condition at the time of appointment or reappointment, except for a few special jobs.

The State does not operate an organized employee health service, as do many private industries. I believe the Health Department would welcome the idea.

Most employees are more concerned with the same sort of thing—up to a point. Most workers do have health and safety in mind at work, and many are concerned with the same sort of thing. But if the worker is too much in the way of advice on health matters, and the State Health Department includes State employees in such state-wide campaigns as those to deal with tuberculosis, the amount of health work done informally and unevenly is the reason for the neglect of a function so important to the State and to the employee.

I do not claim to know all the answers to this problem. I am convinced that the employee can make many valuable suggestions. I think the employee, with the help of the employee, could help the employee keep fit. This is because of the importance of the organization in life, the importance of the organization to the employee, and to his family, and to his employer, is to keep as physically fit as possible.

The three commissioners of the State Civil Service Commission, subject to approval by the Governor, have been removed by the State Civil Service Commission, subject to approval on review by Governor Thomas E. Dewey, after due notice to the Commission, only to have them resign.

Many chapters are making special awards to their members who are especially active on behalf of the Headquarters Fund. Several have issued special appeals to their members, suggesting that a portion of the emergency salary increase received by State employees effective April 15th be contributed to the Headquarters Fund in appreciation of the Association's Headquarters in obtaining the highest rating. The reports on the progress of the drive have been issued semi-monthly. The reports are issued in a similar form, considering the size of the chapter, the number of chapters per a 100% or higher rating. The report will be issued on May 1st.

The space occupied by the Association's Headquarters is about the same as twenty years ago. In that space, the association's Headquarters is about the same as twenty years ago. The space occupied by the Association's Headquarters is about the same as twenty years ago.

The Public Employee

By Dr. Frank L. Tolman

President, The Civil Service Employees Association, and President of Members' Merit Award Board.

The three refused to waive immunity, on advice of counsel. Resultant press charges—removal of employees—removed by the State Civil Service Commission, subject to approval by the Governor, have been removed by the State Civil Service Commission, subject to approval on review by Governor.
ALBANY, April 26 — Membership continues to grow fast in The Civil Service Employees Association, said William J. Stahl, president, at a meeting held yesterday. The present record total now stands at 43,700, of which 30,000 are in the State Division and 4,400 in the County Division.

Mr. Stahl said that the strong growth has been made possible by the efforts of the various Conference Chapters. These chapters are in various stages of formation in the following counties: Essex, Cattaraugus, Nassau, Sullivan, Tompkins, Herkimer, Clinton, Franklin, Jefferson, Niagara, Orleans, Onondaga, Oswego, Oneida, St. Lawrence, Hamilton, Steuben, Suffolk, Ulster and Westchester.

Among the projects discussed during the meeting were: pensions, to provide an annual pension of $250 to those earning more than that figure. But without the Association, these attempts came to naught at Wednesday's meeting of the Commission.

CIVIL SERVICE LEADER

STATE AND COUNTY NEWS

CIVIL SERVICE LEADER

ALBANY, April 30 — The Regional Conference quota filled, and all five Conferences very active in the affairs of The Civil Service Employees Association, monthly meeting was held yesterday, and the work of organizing is taking place, and Chairmen are reporting on the progress and differences other than their own. In this way the problems of the employees are given a wider base of study, and the united effort of all the Conferences provides a better plan of action.

Among the projects discussed were pensions, and to this end it is expected that a concerted drive will be made for at least $250 a year for those earning more than that figure. But without the Association, these attempts came to naught at Wednesday's meeting of the Commission.

Toban Presents Charter

Toban's charter was presented and approved by the Conference, which was attended by the Executive Committee of the Association and all five Conferences very active in the affairs of The Civil Service Employees Association. It was expected that a concerted drive would be made for at least $250 a year for those earning more than that figure. But without the Association, these attempts came to naught at Wednesday's meeting of the Commission.

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BUFFALO STATE HOSPITAL

The annual meeting of the Buffalo State Hospital Chapter was held at the Clubrooms on the Hospital grounds, Chairman, Dr. John D. 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State Workers Up by 500

ALBANY, April 20—About 500 employees will be added to the State payroll because of the State's increased activity. The State Classification Board, the Department of Audit and the Budget Director's office are the three departments

GET A HIGH SCHOOL DIPLOMA IMMEDIATELY — With a FEW EXAMINATIONS

HOSPITALS

The job career guided by the Civil Service LEADERS and distributed to members have been very helpful, for which the employees thank the LEADERS. John Price is back again after an absence, ditto his step-daughter ... and Miss McGovern of the Hospital School of Nursing and Dr. Paul Audel is still dressed in black and would like his friends to drop in to say hello ...

Ray Brook

At a regular monthly meeting of the Ray Brook Chapter a large group of members listened to a talk by Dr. John Price and the Inter¬

in_ the name of the Chapter: Elizabeth Haley, Joe Bierter, held at the Hornell Alexander Hotel. The fol lowing officers were elected: Miss Mary Howard, Fred Ebi

Correction, Capital

The annual meeting of the Correction Depart ment was held at the Willard State Hospital. The fol lowing officers were elected: President, Robert A. Meissner; Secretary, A. B. Schell; Treasurer, Harry Holmes.

NURSES' UNIFORMS AND DOCTORS' COATS

One year, two years, three years from now? You can saving lifetime security for yourself and your loved ones — if you have a Government Job!

Our Government offers good, high-paying, interesting jobs — jobs with a real, secure future! And it doesn't take long or require hard work to equip for any one of 2,000,000 positions covered by the famous Arco Study Guides!

Arco Books is a complete study series for the job you want — packed with hard-boiled information, background hints and tips, previous exams and answers with what you need to know — you can save half your knowledge for yourself and your loved ones with our hundreds of titles!

Hornell

It was the evening of the Hornell Chapter, the following officers were elected: Presi dent, Gilbert K. Klem; Secretary, Charles B. Kincheloe; Treasurer, Mrs. Elmer Blankenship; Vice-President, Mrs. Robert Monmara; Secretary, John M. Monroe; Robert G. Odell; Vice-President, Robert E. Satterlee; Secretary, Mrs. Louis Sleeth; Treasurer, Mrs. William Deery; Vice-President, Mrs. Mary Howard; Fred Ebi.

Correction, Capital

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New York State Department of Public Safety

The report on the salary schedu le of State employees was submitted by President Schwartz, covering the April 15, 1948, increase in salary and wage.

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TUESDAY, APRIL 27, 1948

Scientific Salary Plan Is Needed By NYC

This is an editorial about two programs:

1. The pay of NYC employees.
2. The confusion about the basis of pay and what to do about it.

As this is being written, there is no definite indication of what the forthcoming pay increases will be. Mayor O'Dwyer is investigating the recognition of the need for a pay raise. It was evident from the rumors emanating out of City Hall circles that the rate of pay would fall below that requested by all employee organizations—$600 per employee.

The LEADER has felt this to be a moderate request in view of the long period in which raises were withheld and in view of the clear and admitted case made out for decent salary treatment.

$4.32 a Week

If the pay raise should average $300 per employee, how much does it actually mean to him? He and his family pay the increased subway fare, too. Suppose that comes to $4.32 a week.

The bonus plus the new addition should be incorporated into the base pay, because this will at least provide some compensation for the additional pay.

The LEADER wishes to go on record as forcibly as it can: "The correction is also a mistake. According to the law, $12,000 is the top limit beyond which no employee compensation, either on retirement or on death, can rise. Any increase in excess of this is illegal and is required to be restored. We shall definitely oppose such an increase."

The LEADER is opposed to high salary increases! . . . last week's announcement of the U. S. Civil Service Commission that the pay raise for the May 1st deadline date would be $900 for superintendents in Public Works and $600 for assistant superintendents was a gross crime against the hard-hit $12,000 a year employee.

Dietitians

The U. S. Civil Service Commission has announced an amendment to Announcement No. 82, relating to the Dietitian exam, to the effect that the dietitian is being utilized throughout the U. S. in the personnel and administration of the Interior, at grades 1 and 2, and in the Departments of Agriculture and 2 and 4. Positions in Washington, D.C., are also being utilized.

Applications for positions in the U. S. Civil Service Commission, D. C., must be on file not later than the 15th day of the month for which the appointment is desired.

All applications should be sent to the U. S. Civil Service Commission, Washington, D. C.

CONDUCTOR LIST OUT SOON

The U. S. Civil Service Commission announces that the list of conductors for the New York Central Line, New York to Buffalo, will be released in two weeks.

$2,000 WORK FOR STATE

There are now 7,000 N.Y. State employees.

Facts on Conversion Given for Group Life Insurance

Employees who are middle-aged or beyond, and who may receive notice of termination of employment, may be covered by The Travelers' Group Insurance, without medical examination, and at the attained age rate, into any plans of The Travelers Insurance Company.

Group Insurance, without medical examination, and at the attained age rate, is the same as the employee can convert to the Travelers Insurance Company at the attained age rate, into any plans of The Travelers Insurance Company.

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Digest of Laws of 1948

The New York Civil Service Department has received a memorandum from Governor V. W. H. J. McKee providing for the submission of a bill to the Legislature for the ratification of the provisions of § 5 of Chapter 547 of the Laws of 1948, under which the provisions of § 42 of the State Civil Service Law are increased from $11,000 to $10,000. This increase is made in accordance with the provisions of the State Civil Service Law, to be effective April 1, 1948.

The provisions of the State Civil Service Law, as amended, provide for the establishment of a State Civil Service Employees Association, composed of all employees of the State who are members of the Association, to represent the employees in the State in the following matters:

1. The maintenance of the provisions of § 42 of the State Civil Service Law.
2. The negotiation of collective bargaining agreements with the State on matters relating to the terms and conditions of employment of State employees.
3. The settlement of grievances and the arbitration of disputes between the State and its employees.
4. The representation of employees in proceedings before the State Civil Service Commission.
5. The representation of employees in proceedings before the State Civil Service Commission, including the suspension or removal of employees.

These provisions are intended to provide for the protection of the rights of State employees, and to promote the efficiency and effectiveness of the State Civil Service in the performance of its duties.

The provisions of the State Civil Service Law, as amended, also provide for the establishment of a State Civil Service Employees Association, composed of all employees of the State who are members of the Association, to represent the employees in the State in the following matters:

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Exams for Permanent Public Jobs

U.S. Civil Service

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C. Civil Service Examiners at

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E. Civil Service Examiners at

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G. Civil Service Examiners at

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T. Civil Service Examiners at

U. Civil Service Examiners at

V. Civil Service Examiners at

W. Civil Service Examiners at

X. Civil Service Examiners at

Y. Civil Service Examiners at

Z. Civil Service Examiners at

for the following:

1. Assistant Engineer, $2,550 to $3,

2. Assistant Engineer, $2,600 to $3,

3. Assistant Engineer, $2,650 to $3,

4. Assistant Engineer, $2,700 to $3,

5. Assistant Engineer, $2,750 to $3,

6. Assistant Engineer, $2,800 to $3,

7. Assistant Engineer, $2,850 to $3,

8. Assistant Engineer, $2,900 to $3,

9. Assistant Engineer, $2,950 to $3,

10. Assistant Engineer, $3,000 to $3,

11. Assistant Engineer, $3,050 to $3,

12. Assistant Engineer, $3,100 to $3,

13. Assistant Engineer, $3,150 to $3,

14. Assistant Engineer, $3,200 to $3,

15. Assistant Engineer, $3,250 to $3,

16. Assistant Engineer, $3,300 to $3,

17. Assistant Engineer, $3,350 to $3,

18. Assistant Engineer, $3,400 to $3,

19. Assistant Engineer, $3,450 to $3,

20. Assistant Engineer, $3,500 to $3,

21. Assistant Engineer, $3,550 to $3,

22. Assistant Engineer, $3,600 to $3,

23. Assistant Engineer, $3,650 to $3,

24. Assistant Engineer, $3,700 to $3,

25. Assistant Engineer, $3,750 to $3,

26. Assistant Engineer, $3,800 to $3,

27. Assistant Engineer, $3,850 to $3,

28. Assistant Engineer, $3,900 to $3,

29. Assistant Engineer, $3,950 to $3,

30. Assistant Engineer, $4,000 to $3,

31. Assistant Engineer, $4,050 to $3,

32. Assistant Engineer, $4,100 to $3,

33. Assistant Engineer, $4,150 to $3,

34. Assistant Engineer, $4,200 to $3,

35. Assistant Engineer, $4,250 to $3,

36. Assistant Engineer, $4,300 to $3,

37. Assistant Engineer, $4,350 to $3,

38. Assistant Engineer, $4,400 to $3,

39. Assistant Engineer, $4,450 to $3,

40. Assistant Engineer, $4,500 to $3,

41. Assistant Engineer, $4,550 to $3,

42. Assistant Engineer, $4,600 to $3,

43. Assistant Engineer, $4,650 to $3,

44. Assistant Engineer, $4,700 to $3,

45. Assistant Engineer, $4,750 to $3,

46. Assistant Engineer, $4,800 to $3,

47. Assistant Engineer, $4,850 to $3,

48. Assistant Engineer, $4,900 to $3,

49. Assistant Engineer, $4,950 to $3,

50. Assistant Engineer, $5,000 to $3,
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No Obligation

In our opinion, no one can hope to get within appointing distance without
making at least 85% in the physical examination.

1. Lift 135 lbs., or 70 lbs. with one hand, and 65 lbs. with the other.

2. Abdominal Muscle Lift. With feet held down, while in a
squatting position, candidates must assume a sitting position, carry-
ning up a 55-pound barbell behind his neck.

3. High Jump (Run Permitted)—4 feet, 1½ inches.

Flanders Bill asks That the 45 Grades Be Reduced to 11
Special to The Leader
WASHINGTON, April 26.—A general overhaul of the Fed-
eral Classification Act is in pros-
pact under a bill now under con-
sideration by Congress. The bill
introduced by Senator Flanders of
Vermont, embodies recommendations
made by the United States Civil
Service Commission in its recent annual report to Congress.
Among the changes proposed are the following:

1. The five separate "services," each with its own pay schedule, are replaced by a single pay
schedule covering all employees.

2. Eleven non-competitive grades are to be set up instead of the present 45 grades.

3. Pay increases will be given to Federal employees under the classification act as a result of
demands in pay by the Senate.

President Truman has expressed himself as favoring the proposed
revision of the classification act.

The Senate Committee on Post
Office and Civil Service conducted hearings on the bill, and recom-
manded the proposed reclassifica-
tion. The Senate action was expected for the pay increases it is proposed.

No Postal Workers.

Postal workers. Senator Flanders' schedules are for smaller raisers.

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Langer Assures Postal Raise
But Isn’t Certain How Much

Langer (R. N. P.), chairman of the Senate Post Office and Civil Service Committee, assures that Congress will consider a postal raise, but he
soon to be filled on a permanent basis.

Deficit Not Employees’ Doings
After reporting the Federal deficit, Mr. Langer said he was now approx­
imating $10,000,000,000.

"But whatever the deficit, and no one can say at this point how much
we will live with it until we overcome it, these are the Post Office De­
partment, including my friends in Local No. 19 of the National Fed­
eration of Post Office Clerks, and all others doing similar work with
the present that the Laborer is worthy of his hire. If we must con­
tinue to have deficits, those deficits should never be passed on to the
men and women who perform the routine chores for Uncle Sam. They
are not responsible for the deficit—they are here to give us the
best service and for the proper amount of salary they
so justly deserve.

"I am not having everything in
and unfortunately for the outcome of the President’s
Everything we do in Congress is subject to last minute revisions
and even in conference between the committees. Therefore,
when we are here to meet some of the
points we think are the most important.

"I am proud to say that the
President of Post Office Clerks, of which my friend
Dick Johnson and the President of the
and Patrick J. Fitzgerald is Sec­
Clerks Association, are here to represent to the
point where only points will be

taken into consideration. We do not have to
the present situation. We have to
our own people, and so
I believe we have enough
in this to meet with anytime.

Today under the current
situation, there is, as I have said, a
more composed and some of the
nationalists, and the three
international relief purposes

It seems to me we are losing many
the things so obviously needed, and
recognizes the needs of
the group who serve the
people of the nation by
national language and

The nations which have
the freedom to put the
people to the and at
least $25 a week, and to
any additional costs it
the service their fair salar­

This applies quite
the same of these regular
are so good.

Learn to Earn in 6 Wks!

DICTATION-TYPING
Complete Course...$15

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Stenographer...$25
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100zet minor examinations...

Congratulations to all...

Learning to Get Ahead...

Learn new skills at Drake School of Business, a

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CIVIL SERVICE LEADER

FEDERAL NEWS

New Charter received from the American Federation of Government Employees by Local 655, Internal Revenue unit in New York City. Staff to the local; Collectors James W. Johness and Florence Dobson, Recording Secretary of the local.

Veterans Fill Org..executeQuery("SELECT * FROM public.veterans_fill")

Veterans Eligible

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COMMUNICATIONS WORKERS

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EDUCATIONAL CENTER

STATIONERY JOB?

The New York State
INSTITUTIONS OF TECHNOLOGY

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The executive budget calls for the budget complications have arisen. Certainly no later than May 15, but made as of May 15.

...ing disability, so the list can be promotions as soon as possible, so the Disabled vet. claimants ...

Learn to Drive


to Captain, of Firemen to Lieu...
A
d
The Municipal Civil Service Commission has approved as final the tentative key answers given for the examinations for Auto Mechanic in the City of New York, July 1945. The written test was held on December 20, 1947.

Key Answers Stand
For Auto Mechanic

The Catholic Guild of the Deaconesses on Monday night, last week, had its eleventh annual corporate Commemoration service. The Mass was celebrated at St. Patrick's Cathedral, at 8:30 p.m. The Very Rev. James W. Page, O.F.M., was the celebrant at the Mass.

Parks Guild Attends Mass at St. Patrick's

The Municipal Reference Library offers the following forthcoming civil service examination.

J. B. Diamond Gets
Public Works Post

The Municipal Reference Library offers the following forthcoming civil service examination.

J. B. Diamond Gets
Public Works Post

For Engineer Test

The Municipal Reference Library offers the following forthcoming civil service examination.

J. B. Diamond Gets
Public Works Post

For Engineer Test

The Municipal Reference Library offers the following forthcoming civil service examination.
Delegation Hands Minetti List of 4 Main Grievances

A delegation from Local 111 of the United Public Workers, CIO, submitted a memorandum to Joseph Kessel, Commissioner of the Department of Marine and Aviation, last week, presenting a list of grievances for employees who are members of the local.

1. Pay rolls on the Staten Island and other city-owned ferries are disorganized.
2. The men are required to work long periods without rest.
3. Promotions to which they are entitled are not granted.
4. The very lives of the men below deck are endangered because of faulty equipment permitting fire to spread.

Working conditions in the Bureau of Ferrys lie way behind the progress of other departments, and in no way approach comparable working conditions for similar employment in private industry.

NEW YORK CITY NEWS

Railroad Clerk Exam's Medical-Physical Rules

The medical and physical examinations for Railroad Clerk will take place on May 1. All clerks desiring a position and veterans will be called.

The requirements established by the Railroad Transportation Board are as follows: Candidates may be rejected for color blindness, deformity, abnormal vision, or color blindness that tends to impede work, such as defective vision (designated 01.09 each eye tested separately). Candidates may be tested for agility by a 25-point dumbbell at 2 feet 6 inches in height and for strength by lifting in succession a 25-pound dumbbell with both hands over the head and a 20 pound dumbbell with the other a full arm's length above the head.

Police Clerks to Install Officers

The Police Department will hold its annual inspection ceremony and dance in the Hotel Astor grand ballroom on Thursday evening, April 29. President Mattoon A. Con-

recommendations of the 1947-48

This 10th day of December, 1947.

...
very over the meaning of the veteran constitutional provision regarding grants of disability to veterans.

The Commission provides that "a member of the armed forces of the United States or of the armed forces of any foreign country, who is thereafter disabled in time of war..."

The prevailing opinion was "a member of the armed forces" by Judge Conway and Associate Judges Emery and Trager.

Judgment of Judge Conway

The prevailing opinion was "a member of the armed forces" by Judge Conway and Associate Judges Emery and Trager.

"I am of the opinion that the statement was correctly made, without regard to his or her standing on any list from which such appointment or promotion may be made."

Charged Illegality

The 12th Amendment to the Constitution was thereby provided for in the New York State Constitution of 1894, which reads:

"...that the State intended to do now about promotions and appointments of pec

The Court held that the disability must meet or exceed a 10 per cent disability rating to be considered.

"A 10 per cent disability." Judge Conway said, "must prove much more closely related to a mental condition than the standard on which disability could be determined under the construction of said constitutional provision."

The decision was handed down in the case of NYC Fire Lieutenant Barry v. Mayor, et al., 294. (S. 1244). Repeals Section 294. (S. 1244). Repeals Section 188 of the Village Law requiring the appointment of veterans to such positions as is declared unconstitu
tional by the Supreme Court upstate.

"Accordingly, this court lays down the rule of law that the prevailing conditions 'disability' requires at least a 10 per cent disability rating by the Veterans Administration or any combination thereof, as a basis for a 'disability' preference."

The difference between this decision and the decision handed down in the Barry case, appears to be based on the concept of exactly what constitutes a disability under the preference law, the Municipal Civil Service Bulletin, 1948. 613. Lupton (A. 2555). Amends a previous law.

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